

# EXHIBIT COVER PAGE

2008 MAY 27 PM 4:28

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA EXHIBIT

BY RM DEPUTY

## DESCRIPTION OF THIS EXHIBIT:

Affadavit from Luther R. Brown III

NUNC PRO TUNC

MAY 23 2008

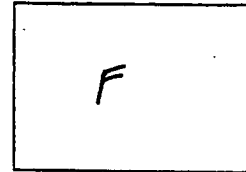
NUMBER OF PAGES TO THIS EXHIBIT: 1 PAGES.

## JURISDICTION: (Check only one)

- ☐ CDCR Administrative Appeal
- ☐ California Victim Compensation  
And Government Claims Board
- ☐ Municipal Court
- ☐ Superior Court
- ☐ Appellate Court
- ☐ State Supreme
- ☒ United States District Court
- ☐ United States Circuit Court
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Page 1 of 1

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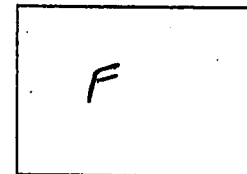
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FOR COURT USE ONLY

COPY

FAX NO. (Optional):

U.S. District Court-Southern  
Room 4290  
880 Front St.  
San Diego, CA 92101-8900

CASE NUMBER:

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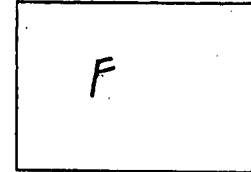
While an inmate in module 5C at George Bailey Detention Facility (GBDF) on 3-18-07, I observed an incident involving inmate Daniel Courson and Deputy Cochran in the dayroom of module 5C. At the time I was locked in my cell, with a clear view through my cell door window of an interaction between Mr. Courson, inmate Thomas Orsingher, and Dep. Cochran. I observed Mr. Courson and Mr. Orsingher talking with Dep. Cochran through the main module gate. Dep. Cochran appeared to be yelling, although Mr. Courson and Mr. Orsingher were calm. The gate then opened as Mr. Courson and Mr. Orsingher began to walk back to their cell. Mr. Courson then turned back to Dep. Cochran, and he was appx. 10 feet away from the deputy. Mr. Courson made absolutely no threatening or aggressive movement or gestures. He appeared to be asking for paperwork that Dep. Cochran had. Suddenly, in a very malicious and angry manner, Dep. Cochran grabbed Mr. Courson from the left side and slammed him very forcefully into a nearby concrete wall, onto his right shoulder. Mr. Courson's knees buckled and he nearly fell from the impact. I could see no reason to handle Mr. Courson in such a sadistic manner, as he was known as a quiet, respectful inmate. He was wincing in pain as he was handcuffed and taken out of module 5C.

Date: May 19, 2008

(SIGNATURE OF DECLARANT)

☐ Attorney for ☐ Plaintiff ☐ Petitioner ☐ Defendant  
☐ Respondent ☒ Other (Specify): Witness

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FAX NO. (Optional):

ATTORNEY FOR (Name):

Room 4290

880 Front St.

880 Front St.  
San Diego, CA 92101-8900

DEFENDANT/RESPONDENT: S.D. Sheriff's Deps. Cochran, Espinoza

**CASE NUMBER:**

Without coercion, reward, or benefit, I, Luther Rollins Brown III,  
make the following statement:

While an inmate in module 5C at George Bailey Detention Facility (GBDF) on 3-18-07, I observed an incident involving inmate Daniel Courson and Deputy Cochran in the dayroom of module 5C. At the time I was locked in my cell, with a clear view through my cell door window of an interaction between Mr. Courson, inmate Thomas Orsingher, and Dep. Cochran. I observed Mr. Courson and Mr. Orsingher talking with Dep. Cochran through the main module gate. Dep. Cochran appeared to be yelling, although Mr. Courson and Mr. Orsingher were calm. The gate then opened as Mr. Courson and Mr. Orsingher began to walk back to their cell. Mr. Courson then turned back to Dep. Cochran, and he was appx. 10 feet away from the deputy. Mr. Courson made absolutely no threatening or aggressive movement or gestures. He appeared to be asking for paperwork that Dep. Cochran had. Suddenly, in a very malicious and angry manner, Dep. Cochran grabbed Mr. Courson from the left side and slammed him very forcefully into a nearby concrete wall, onto his right shoulder. Mr. Courson's knees buckled and he nearly fell from the impact. I could see no reason to handle Mr. Courson in such a sadistic manner, as he was known as a quiet, respectful inmate. He was wincing in pain as he was handcuffed and taken out of module 5C.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 19, 2008

Luther Rollins Brown III CDC # F-50610  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF DECLARANT)

☐ Attorney for ☐ Plaintiff ☐ Petitioner ☐ Defendant  
☐ Respondent ☒ Other (Specify): Witness

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, County, and address): Daniel D. Courson F69760 F1-4-114L P.O. Box 799001 San Diego, CA 92179-9001  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____		FOR COURT USE ONLY
<h1 style="font-size: 4em; margin: 0;">COPY</h1>		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ U.S. District Court-Southern STREET ADDRESS: Room 4290 MAILING ADDRESS: 880 Front St. CITY AND ZIP CODE: San Diego, CA 92101-8900 BRANCH NAME: _____		
PLAINTIFF/PETITIONER: Daniel D. Courson DEFENDANT/RESPONDENT: S.D. Sheriff's Deps. Cochran, Espinoza		
<b>DECLARATION</b>		CASE NUMBER: _____

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